

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 205006
ORIGIN OPIC-06

INFO OCT-01 AF-10 ISO-00 EB-08 L-03 COME-00 TRSE-00
/028 R

DRAFTED BY OPIC/GC:AKEESEE
APPROVED BY A/S:GMOOSE
EB/IFD/OIA:DGRANT

-----089387 141713Z /53

P 141655Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY LUSAKA PRIORITY

LIMITED OFFICIAL USE STATE 205006

E.O. 11652: N/A

TAGS: EINV

SUBJECT: PHELPS DODGE CLAIM
REF : A. LUSAKA 2808 B. STATE 200018 C. STATE203316

1. IN VIEW OF INFORMATION CONTAINED REF A, OPIC PROCEED-
ING TO PAY PDSMI CLAIM. OPIC REQUESTS POST INFORM OPIC
AS SOON AS DRAFT REFERRED TO PARA 2 REF B HAS BEEN
RECEIVED. ALSO REQUEST POST INFORM CENTRAL BANK THAT
BECAUSE PDSMI UNWILLING TO ACCEPT REMITTANCE AT CURRENT
(I.E. DEVALUATION) EXCHANGE RATE, CLAIM HAS BEEN FILED
WITH AND PAID BY OPIC.

2. AMOUNT OF PDSMI CLAIM, HOWEVER, CAN STILL BE REDUCED
IF ZAMBIAN EXCHANGE REGS REFERRED TO PARA 2 REF C WOULD
BAR PDSMI FROM REMITTING ANY PORTION OF KWACHA WHICH ARE
SUBJECT OF CURRENT CLAIM. I.E., PDSMI IS REQUESTING
REMITTANCE OF 100 PER CENT OF 1976 AND 1977 ZAMEFA
DIVIDENDS. IF EITHER REGS IN EFFECT JUNE 20, 1969, OR
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 205006

REGS IN EFFECT MAY 4, 1978, WOULD ALLOW PDSMI TO TRANSFER
LESS THAN 100 PER CENT OF DIVIDENDS, OPIC WOULD NOT HAVE
TO HONOR CLAIM IN RESPECT OF BARRED PORTION. SAME
SCENARIO APPLIES TO TECH ASSIST FEES. IMPORTANT
ANCILLARY POINT IS WHETHER 1969 AND 1978 REGS, IF THEY
IN FACT DO ALLOW REMITTANCE OF ONLY A CERTAIN PERCENTAGE

OF DIVIDENDS OR FEES, APPLY THAT PERCENTAGE TO A GROSS,
BEFORE-TAX FIGURE, OR TO A NET, AFTER-TAX FIGURE. IF
PERCENTAGE IS APPLIED TO AFTER (E.G., WITHHOLDING) TAX
FIGURE, TAX RATE IN EFFECT MAY 4, 1978 ALSO RELEVANT.
POST ADVICE ON THIS POINT WOULD BE APPRECIATED.

3. OPIC APPRECIATES POST HARD WORK ON THIS MATTER AND
REGRETS IT WAS NOT POSSIBLE TO AVOID CLAIM FILING. VANCE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOREIGN INVESTMENT, CLAIMS
Control Number: n/a
Copy: SINGLE
Draft Date: 14 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE205006
Document Source: CORE
Document Unique ID: 00
Drafter: AKEESEE
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780331-1345
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780867/aaaacdqs.tel
Line Count: 70
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: cbe70d64-c288-dd11-92da-001cc4696bcc
Office: ORIGIN OPIC
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 LUSAKA 2808
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1746950
Secure: OPEN
Status: NATIVE
Subject: PHELPS DODGE CLAIM
TAGS: EINV, ZA, PHELPS DODGE
To: LUSAKA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/cbe70d64-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014